

FILED

OCT 29 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRED WHITAKER,

No. C 09-80277 MISC

Plaintiff,

**ORDER PERMITTING FILING OF
COMPLAINT**

v.

MICHAEL ASTRUE, COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Plaintiff Fred Whitaker has filed a complaint for judicial review of a decision by the Commissioner of Social Security. Plaintiff is subject to a Prefiling Order requiring review and approval by the Court of any actions filed by plaintiff in propria persona. The Court, as general duty judge, has reviewed plaintiff's complaint and finds that it is not patently frivolous, and thus may be filed. The Clerk shall file the complaint and open the case.

IT IS SO ORDERED.

Dated: October 28, 2009



SUSAN ILLSTON
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

WHITAKER,

Plaintiff,

v.

SOCIAL SECURITY,

Defendant.

Case Number: 09-80277 MISC

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 29, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Fred A. Whitaker
872 69th Ave
Oakland, CA 94621

Intake

October 29, 2009

Richard W. Wieking, Clerk

By: T. Forakis

A handwritten signature in black ink, appearing to read 'T. Forakis', is written over the printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.